IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

NO.: 5:07-CV-426-H

ADVANCED INTERNET TECHNOLOGIES, INC.,))	
Plaintiff,)))	
v.)))	ORDER
DELL, INC., and DELL FINANCIAL SERVICES, LLC,))	
Defendants	1	

This matter is before the court on Dell's motion to continue the trial in this matter. Responses and replies have been filed, and this matter is ripe for adjudication.

Within the response and reply to Dell's motion, the parties also mention the possibility of desiring a court-hosted settlement conference. However, in what has become the modus operandi for these parties, there appears to be disagreement as to the substance of conversations regarding further mediation. Nevertheless, the court has reviewed the motion and responses and hereby rules as follows.

The trial of this matter is continued to this court's February 14, 2011 term. Additionally, pursuant to Local Civil

¹ The term of court is for calendar call only; a specific trial date will be scheduled separately, if needed.

Rule 101.2, EDNC, and Rules 16 and 53 of the Federal Rules of Civil Procedure, the court ORDERS a court-hosted settlement conference.

United States Magistrate Judge David W. Daniel is hereby appointed as settlement master. Magistrate Judge Daniel is directed to meet with the parties and supervise negotiations, with an aim toward reaching an amicable resolution of the issues. Magistrate Judge Daniel is given full authority to establish such rules as he may desire, which shall be binding upon the parties and their counsel during the course of the conference. The conference will be conducted at a time and place selected by Magistrate Judge Daniel upon notice to the parties.

This $\frac{74}{4}$ day of August 2010.

Malcolm J. Howard

Senior United States District Judge

At Greenville, NC #26